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AUTHOR Peterson, Paul E.
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ABSTRACT

Urban school administrators are being asked to desegregate their schools without adequate financial or legal support. For every example of a national commitment to the goal of school integration, counter instances can be identified. The greatest resistance to desegregation has been at State and local levels, but even the Federal government has refused, on occasion, to use its enforcement powers. The issue of busing reveals the ambiguity with which school integration has been pursued. State legislatures have disallowed the use of State funds for buses used to achieve school desegregation, and Congress prohibits the use of Federal funds for busing. Unfortunately, busing remains the least expensive and disruptive short term solution to segregated schools. The courts, too, have been less than consistent in framing desegregation policy. The most pressing issue that the courts have yet to resolve is desegregation across district lines within metropolitan areas. Metropolitan integration is unlikely to occur, however, apart from court action. Further research on desegregation effects, metropolitan solutions, financial support alternatives, the role of the courts, the political context of desegregation, and social consequences of desegregation can help to clarify and strengthen the goals and policies of school desegregation. (Author/GC)

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IMPLEMENTING SCHOOL DESEGREGATION IN A FEDERAL SYSTEM

Paul E. Peterson
Stanford University

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Administration is most efficient when objectives are clearly defined and goals are widely shared. When the federal government committed itself to placing men on the face of the moon, it created a specific administrative structure to achieve that goal. What had been barely imaginable became a reality. In wartime situations, too, objectives clarify, consensus is realized, and high levels of efficiency are obtained. Organizational objectives and individual aspirations are welded together; outstanding achievements can be grasped.

In recent years administrative devices have been invented that attempt artificially to create such unity of effort. Management by objectives (MBO) is one such tool. Planning, programming and budgeting systems (PPBS) are another. Zero-based budgeting is a third. In all these programs the decision-maker is expected to clarify his objectives, delineate clearly how those objectives will be achieved, specify the resources necessary to carry out the plan, and establish target dates for implementation. Much is to be gained by clarity and precision, and many of these schemes have genuine value in specific contexts. Yet the success with which they are adopted depends on the degree to which those participating in an organization share the objectives the decision-maker has formulated.

In many situations our policy objectives are defined broadly and ambiguously. Goals are stated so abstractly that they contain within themselves values all of which cannot be maximized simultaneously. Even when the goals are fairly clear, people disagree vigorously on the best means

for achieving them. Indeed, some people may even regard organizational goals as contrary to other values important to them. What should be clear becomes uncertain; what should provide unity creates discord. Under these circumstances efficient administration and flawless implementation of policy objectives become almost impossible.

The Ambiguity of School Desegregation Policy

Although many policy objectives are vaguely defined and ambiguously stated, school desegregation provides the paramount example of our time. Hardly has any public policy affecting the nation's schools been championed so vigorously by the most central institutions of our nation. Yet hardly has any public policy had such difficulty in finding the appropriate mechanisms for implementation. Although some routes have been more successful than others, every tool of implementation has been inefficient. Given the confusions, disagreements and conflicting interests at stake, it could scarcely have been different.

At an abstract level the commitment to school integration has been stated unequivocally and without reservation. The Supreme Court declared in Brown and reaffirmed in the Little Rock case (Cooper v. Aaron) that segregated public schools were inherently unequal and contrary to the Fourteenth Amendment of the Constitution. Every court decision since Brown has reaffirmed its basic principles, and since that decision every President in office has announced his own commitment to school desegregation.

After a march on Washington by tens of thousands of Americans, both black and white, at which Martin Luther King, Jr. evoked the highest of American ideals, Congress in 1964 passed a sweeping piece of legislation calling for active government efforts to remove segregation from the nation's public institutions. An Office of Civil Rights within the Department of Health, Education and Welfare was assigned the responsibility of implementing the legislation. Subsequently, Congress appropriated millions of dollars in the Emergency School Aid Act to facilitate desegregation processes. And as a result of all of these and other activities, significant school desegregation has occurred--especially in smaller cities and in the South. From 1968 to 1972 the percentage of blacks in predominantly white schools increased in the Northern and western states from 27.6 to 29.1 percent, while in the South the percentage increased from 18.4 to 44.4 percent. (Orfield, p. 57).

Yet for every example of national commitment to school integration, counter instances can be identified. At every level of government and within each of the several branches of government, uncertainty and ambiguity in the pursuit of desegregation objectives has been expressed. The greatest resistance, it seems, has been at state and local levels. Hardly a school system in the South initiated any school desegregation until it was compelled to do so either by court order or by a threatened cut-off in federal aid. In the North many school boards expressed themselves opposed to racial segregation in principle but in practice they voluntarily adopted only modest, largely symbolic plans. When Robert Crain (1968) studied a sample of northern cities in the

mid-sixties he found great variation in school responsiveness to civil rights demands, but even in the cities he found to be most responsive only very limited steps to reduce school segregation had been taken. In the least responsive cities, which even at that time included Boston, the board resisted any commitment to school desegregation, rhetorical or substantive. More than a decade later we still find all state legislatures, except for Wisconsin and Massachusetts, unwilling to commit substantial resources to facilitate the processes of desegregation. And local school systems, even when they do desegregate, seem to think that some other level of government should foot the bill.

If resistance at state and local levels has been prolonged and widespread, the federal government itself has hardly been unequivocal in its commitment. The Nixon and Ford Administrations refused to use the enforcement powers of HEW's Office of Civil Rights. The Justice Department, which was assigned the responsibility for enforcing school desegregation, instead intervened in the Charlotte and Manatee County, Florida cases on the side of southern school districts, arguing that as long as schools served the racial composition of their neighborhoods, no further desegregation was Constitutionally required. Although the courts rejected the Justice Department's arguments, the Nixon administration had delineated in court its strong stand against busing.

The School Bus Controversy

Busing reveals as clearly as any other issue the ambiguity with which school integration has been pursued. Most Americans support school desegregation, yet most Americans oppose busing as a means for achieving that goal. State legislatures have disallowed the use of state funds for buses used to achieve school desegregation. And Congress, even while reaffirming its commitment to school desegregation, prohibits the use of federal funds for busing.

There are many reasons for not busing children of course. It is more convenient to walk to school; children can come home for lunch; parents can easily participate in PTAs and support teachers in their classrooms; and busing children is expensive in both labor and energy costs. Yet these considerations do not preclude the use of the school bus for purposes other than school desegregation; indeed, in 1973-74 fifty-two percent of all public school children went to school by bus and only about one-eight of that figure was due to school desegregation policies (Orfield, 128).

If there were means of achieving substantial school desegregation without busing, this ambiguity in national commitments would be trivial. But, unfortunately, given residential segregation, busing is the least expensive, least disruptive, short-term solution to most instances of school segregation. Especially in urban areas, with their large geographical concentrations of segregated housing, desegregation without

busing becomes simply impossible. The school bus controversy erupted not because buses were an undesirable way of achieving integration but because they were for practical purposes the only way. By opposing busing, Americans expressed their ambiguous commitment to racial integration.

The Courts and Metropolitan Desegregation

The courts, too, have been less than entirely consistent in framing a policy of desegregation. Although their distance from electoral pressures and the need for maintaining a degree of consistency with past decisions have allowed the courts to develop a more stable set of policies than either of the other branches of government, considerable variety in the interpretation of the Fourteenth Amendment has taken place. Among the many questions the courts have yet to resolve are the following: When is segregation de facto and when is it de jure? What are the range of feasible remedies available to the court? Are school district boundaries beyond the reach of judicial purview?

The single most pressing issue which the courts have yet to resolve pertains to desegregation across school district lines within metropolitan areas. Inasmuch as pupils in many big-city school systems are now primarily from minority backgrounds, desegregation within the central city is now counterproductive. The more schools are integrated, the less attractive the central city is for whites. Although research on "white flight" from the central city has reached varied conclusions on the rate

and causes of declining white enrollment, a consensus seems now to have emerged. Whenever central city schools contain high percentages of blacks and are integrated, and suburban schools are almost exclusively white, substantial white central city enrollment declines occur. Only cities with metropolitan-wide desegregation plans have been able to retard this kind of racial change.

Because these trends have been allowed to persist for nearly three decades, school desegregation is today essentially a metropolitan problem. Although one-half of blacks living in smaller school districts attended predominantly white schools in the mid-1970's, only one-fifth of black children living in large school districts were in comparable settings. Three-fourths of all black pupils attending school in segregated settings (80 per cent or more minority) attended school in large school districts. In 1976 the index of segregation for blacks was .46 in the central cities of metropolitan areas, but only .09 in non-metropolitan areas (Standard Education Almanac, 1979, p. 479). Until metropolitan-wide desegregation is pursued persistently, these patterns of racial isolation will continue.

As a dual system of education has become increasingly entrenched in metropolitan areas, central-city neighborhoods have deteriorated and urban decay has induced fiscal crises in many big cities. At a time when increasing energy costs and the attractions of urban living have sparked urban revival in scattered locations and given hope for genuine urban renewal in the 1980's, a major obstacle to such a revival is the pattern of racial segregation in metropolitan schools. If central city schools

could establish stable, racially integregated settings for both white and black pupils, their neighborhoods would have a base of support more important than can be provided by any community renewal program. If racial balance throughout the metropolitan area is successfully achieved, whites and blacks would have greater flexibility in residential choice.

Some attribute the resegregation of central city schools to white racial prejudice and discrimination, but that, I think, is too simplistic. Whites, as individuals, profess a greater acceptance of integrated settings than ever before. At the same time whites still resist involvement in predominantly black social contexts. Most whites in central cities believe that, when schools and neighborhoods acquire a fairly high percentage of blacks, other whites will exit from that school or neighborhood. Fearing that others will exit, they themselves leave so as not be left behind. Even more, new white families refuse to take the risk of moving into a changing community. As each white family anticipates the actions of others, their fears become a self-fulfilling prophecy.

Such processes of resegregation can be avoided only by decisive, conjoint action by the political institutions of the community. If white families know that a collective decision had been made to stabilize white-black school composition, the pressure to exit from a school with increasing numbers of minority students would decrease. Indeed, integrated neighborhoods could become desirable locales for both whites and blacks, if children were assured they could attend the local school instead of

being bused elsewhere to achieve racial balance. In most large cities such a policy can be effectively implemented only on a metropolitan wide scale. Detroit, St. Louis and perhaps even Milwaukee simply do not have within their boundaries sufficient numbers of white pupils to maintain a stable racial balance.

The court's position on metropolitan desegregation draws upon its long-standing distinction between de facto and de jure desegregation. In Swann v. Charlotte-Mecklenburg Board of Education the court decided in 1971 that a county-wide desegregation plan was constitutionally required. Where the state had deliberately constructed and maintained racial segregation ". . . it must provide a remedy for such segregation even if that remedy might be "administratively awkard, inconvenient and even bizarre in some situations." In Keyes (1973) the court applied this same rule to Denver; the basis for court-ordered school desegregation in northern cities had now been firmly laid. But the following year, in Bradley v. Milliken (1974), the Supreme Court ruled that multi-district desegregation in Detroit was not constitutionally required. As long as no state action had produced the existing pattern of racial segregation between districts, no inter-district action to remedy racial isolation was necessary. Although in a later case involving Wilmington, Delaware, the Supreme Court did not review a lower court decision which required interdistrict metropolitan desegregation, the court in 1977 vacated a metropolitan-wide busing plan for Indianapolis.

The Milliken decision thus precludes court-ordered metropolitan-wide

desegregation at the present time. Yet there are inconsistencies in the court's opinion that may well be exploited by civil rights groups in the future. While the Supreme Court in Milliken refused to take evidence on the extent to which state action had produced a pattern of housing segregation in the Detroit metropolitan area, one of the judges that comprised the five-member majority in this decision wrote that "No record has been made . . . showing that the racial composition of the Detroit school population or that residential patterns within Detroit and in the surrounding areas were in any significant measure caused by government activity." If the court were willing to listen to evidence on this issue, it is highly probable that a pattern of state action promoting segregation could be demonstrated in most cities. Suburban zoning laws, the practices of state licensed real estate agencies, suburban reluctance to build low-income housing, and FHA "red-lining" policies all seem to have contributed to inter-district racial separation. In some future case a more liberal Supreme Court could become convinced that inter-district patterns of racial isolation were caused in part by state action. If so, the courts may order metropolitan desegregation plans.

Metropolitan-wide integration is unlikely to occur apart from court action. Voluntary co-operation between central cities and specific suburbs occurs only in the most unusual circumstances, and even then only token integration for a few of the more able black pupils takes place. Although these small experiments in integrated education deserve encouragement, substantial action to change the pattern of racial segregation in the United States will occur only when courts are convinced that

state-wide remedies that cover entire metropolitan areas are necessary to provide equal protection before the law. If the national commitment to integration were unambiguous, such metropolitan-wide solutions would already have been found. That they are not testifies to the continuing inconsistencies and conflicts in our desegregation policies.

Administering Ambiguity

It is in this context that we need to consider comments by three central city school administrators. The problems in intergovernmental relations that they have identified describe in detail the difficulties posed for administrators by ambiguous public policies. School superintendents in our largest cities are being asked today to 1) desegregate their local schools without undergoing the necessary preparation and planning; 2) desegregate their schools, even if their minority pupils outnumber the so-called majority; 3) desegregate their schools without federal funds to cover transportation costs, the sine qua non of any significant desegregation plan; 4) desegregate their pupils, even if this means that compensatory Title I assistance can no longer be made available or must be provided in segregated contexts; 5) desegregate their schools, even though this will provoke community controversy and hasten exodus of middle-class children from the schools.

Local school superintendents are being asked to carry out a policy when their boards have no commitment to it, community groups oppose it, state legislatures withhold resources needed to pursue it, and the federal

government provides funds only at the last minute and then with numerous strings attached. Yet it is the local school superintendents who are held responsible when transportation breaks down, pupils are misdirected, resegregation occurs, or violence erupts. Indeed, even if the superintendent avoids these disasters and integrates successfully, he is held responsible for not simultaneously increasing pupil commitment to school, raising verbal achievement scores, creating magnet schools, enhancing inter-group relations, and expanding educational resources.

Research on Desegregation Policy

Where goals are ambiguous and interests conflict, research can contribute only marginally to improved public policy. However, a number of issues have been raised in the three papers which need more systematic research attention. Let me discuss them in no particular order:

1. I still believe high-quality, scientifically-grounded research on the effects of school desegregation is needed. Such basic research has had and will continue to have important policy consequences. The original Brown decision was based in part on some not very good but nonetheless probably accurate social science research that showed that segregated schools left blacks with feelings of inferiority. The study by the U.S. Office of Education under the direction of James Coleman in 1965 reported that in desegregated settings white children learned as much as in segregated settings and black children learned more. Although

the findings with respect to blacks can probably be explained by the tendency for more able blacks to be recruited to desegregated settings, the Coleman study, by finding no negative effects of desegregation and some apparently positive effects, helped justify the drive to desegregate southern schools by HEW in the late 1960's.

Research since Coleman's study has yielded more ambiguous findings on the effect of school desegregation on black pupil performances. Although positive effects have been found more frequently than negative effects, some say that the positive effects are so trivial that they are not worth the cost of desegregation. The difficulty with this argument is that research has not found any school factor, whether this be class size, teachers salaries, or bilingual instruction, to be unambiguously a cause of substantially higher pupil achievement. If we were to spend money for only those things that have been clearly shown to have had positive effects on pupil's verbal achievement, we would commit very few resources to schooling.

One reason the effects of desegregation are still debated is that since Colemen we have not had a study with a high-quality research design address this question with a large nation-wide sample. Instead what has passed for basic research has often been a haphazard evaluation of short-term effects of some well-publicized, controversial desegregation plan. What we need is

careful systematic, long-term, investigation of schooling in a variety of different kinds of desegregated and segregated settings so that over the next decade we can learn the long-term effects of various kinds of school experiences. Such a program of research would have little applicability to the day-to-day needs of contemporary administrators but it might nonetheless give us some suggestions as to how to proceed in the next quarter-century. Although that may seem like too long a timeline one must recall that we have already celebrated the twenty-fifth anniversary of the Brown decision.

2. Research also needs to focus on the problem of metropolitan-wide desegregation. If this is the area in which public policy changes will have to be made in the next decade or so, then the question of central city - suburban relations needs more scholarly attention. Up until now, research has concentrated on the phenomenon of white flight from central cities. Although this research has been helpful in clarifying the dimensions of this problem, we now need to know more about ways in which metropolitan-wide planning can stabilize neighborhoods, provide choice to parents and students, minimize transportation and maintain citizen and parental involvement.

Some school districts are now providing desegregated schooling on a metropolitan-wide basis. Careful case-study research of experiences in Miami, Wilmington, Los Angeles, and elsewhere can faci-

litate future processes of racial change if and when metropolitan-wide desegregation occurs.

3. Block-grant vs. categorical grants. In several of the papers it has been observed that local school officials have been unable to use federal monies effectively in the processes of desegregation. Local administrative resources must be used to prepare proposals, submit reports, and undertake evaluations. ESAA funds are allocated to the school district only after the school year has begun, creating severe problems in staffing and scheduling. Title I funds, which require concentration of service-delivery on eligible pupils, encourages resegregation of pupils in special programs and introduces many unreasonable administrative burdens. Federal policies concerning program priorities constantly shift; as a result, programs that once received federal funds are left without necessary support once they have been well-established. For these and other reasons many local administrators prefer that block-grants to local districts be substituted for the multitude of categorical grants presently shaping the pattern of intergovernmental relations.

From the point of view of federal administrators categorical grants still seem necessary. They recall the early days of ESEA when Title I funds were not addressed to the needs of low-income children and when ESAA funds were used in segregated settings. Given the resistance to both school desegregation and compensa-

tory education in many school districts, Congress and agency officials in Washington may feel it is inappropriate to disburse federal funds without focusing their use.

We need systematic research that can elucidate some of these issues and identify ways in which legitimate national interests in securing equity in educational policy can be made consistent with legitimate local interests in minimizing administrative complexity. Fortunately, some of these questions are being explored in the Law and Government Grant program of the National Institute of Education and by the Institute for Finance and Governance at Stanford University.

4. The use of court Masters to supervise the development and implementation of court-ordered plans for desegregation is an important new development in intergovernmental relations. Both in Milwaukee and in St. Louis it seems that the Master is more than a mere interpreter of the legal opinion of the court. Instead, he seems responsible for fashioning an administrative plan acceptable to the school system, teachers organizations, community groups and the court itself. Is this involving the court in a political thicket from which it will be difficult for it to extricate itself? Have the functions of school boards been usurped? Or is this an adaptation to the reality that school desegregation becomes nearly impossible if not carried out within the protective curtain of the court order? David Kirp and Gary

Babcock are currently examining some of these issues at the University of California at Berkeley.

5. School desegregation occurs in politically charged contexts. It is often imposed on a community in the face of board, administrative, and group opposition. Frequently, school administrators are unable even to think about what steps to take once integration is ordered by a court, because leakage of such plans might provoke board and community wrath. In some ways, Milwaukee and Detroit are pleasant exceptions to this pattern. Apparently, there was sufficient support for integration on these school boards and within their administrative staffs that serious planning could occur prior to a court decision. With ESAA funds and support from the state legislature, complex plans for desegregation which maximize opportunities for parental option allowed for a more successful period of transition than in other places. High-quality, inside accounts such as the ones provided this conference can be of considerable use to administrators in other cities. Also, it would be useful to have accounts of the Milwaukee, Detroit, and St. Louis experiences written by policy analysts less involved in the day-to-day tasks of carrying out the court order. Yet it must be recognized that not many communities can enjoy the exceptional advantages that these cities had. What kind of help can be given to schools where the administrative staff does not have a supportive political climate? Is it appropriate to fund an external organization so that it can

develop a proposed plan of desegregation? Such a group would be free of some of the close scrutiny school administrators suffer; at the same time, an outsider's plan might become a political football in local politics, thereby rendering useless any recommendations it made. The utility of any such external research organization would certainly depend on the informal ties it built with the school's administrative staff and the confidentiality with which the research is carried out.

6. Finally, we need to examine carefully the extent to which we are building class-segregated school systems in the name of racial integration. In many cities voluntary programs of desegregation or programs which provide maximum parental choice or option plans may be providing improved educational opportunities for more able white and black children but which at the same time leave less able children from less advantaged backgrounds in schools without hope or energy. Americans have prided themselves for generations on their comprehensive, neighborhood high schools that did not perpetuate a system of class stratification such as marked European education. Is the pressure for racial integregation leading to a two-tier system of education in urban areas? If so, we may be addressing the most visible aspects of inequity in American society without tackling a more enduring problem of inequality in educational opportunities.

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